Appendix C
Agency Correspondence

Early Coordination

Project No. _____ Des. No. 9905500

Project Description U.S. 31 Improvement Project/Environmental Impact Statement

Hamilton County, Indiana

Name of Organization requesting early coordination:

Parsons Transportation Group

QUESTIONNAIRE FOR THE INDIANA GEOLOGICAL SURVEY

1) Do unusual and/or problem ( ) geographic, ( ) geological, ( ) geophysical. or ( ) topographic features exist within the project limits? Describe:
No

2) Have existing or potential mineral resources been identified in this area? Describe:
No

3) Are there any active or abandoned mineral resources extraction sites located nearby? Describe: No

This information was furnished by:

Name: Jennifer Olejnik Title: Geologist

Date: January 3, 2001

Questionnaire for the Indiana Department of Transportation, Aeronautics Section

Project No.: _____ **Des / Bridge No:** 9905500

Project Description:

U.S. 31 Improvement Project Between I-465 and S.R. 38 in Hamilton County, 12.5 mi.

Requested by:

Parsons Transportation Group

Are there any existing or proposed airports within or near the project limits? Yes

If yes, describe any potential conflicts with air traffic during or after the construction of this project.

Runway 18-36 of Westfield Airport is located approximately 7000 ft (1.33 mi.) from the proposed project at its closest point. This project should not cause any conflict with airport operations.

This information was furnished by:

Name: Jim Keefer JCK
Title: Assistant Engineer
Date: 1-11-01

USDA

United States
Department of
Agriculture

Natural
Resources
Conservation
Service

6013 Lakeside Blvd.
Indianapolis, IN
46278-2933
(317) 290-3200
FAX 290-3225

January 18, 2001

Cory Grayburn
Deputy Project Manager
US 31 Improvement Project
Parsons Transportation Group
11405 North Pennsylvania Street, Suite 100
Carmel, IN 46032

RE: U.S. 31 Improvement Project
Environmental Impact
Statement Early Coordination
Des.#: 9905500
Hamilton County, Indiana

Enclosed are the completed questionnaire and/or the 1006 Farmland Conversion Rating Form from the Natural Resources Conservation Service for the above named project(s). Please call if we can be of further assistance.

Sincerely,

Jane E. Hardisty

JANE E. HARDISTY
State Conservationist

Enclosure

Project No. 9905500 Bridge No. _____

Project Description: S.U. 31 Improvement Project/Environmental Impact Statement Hamilton County, Indiana

Name of Organization requesting early coordination:
Parsons Transportation Group

QUESTIONNAIRE FOR THE NATURAL RESOURCES CONSERVATION SERVICE

1) Are the drainage courses within the project area subject to (x) siltation, (x) erosion, (x) Pollution? Identify and describe: **Erosion and sedimentation can result from land disturbing activities associated with earth moving, and may cause onsite erosion and downstream siltation and pollution of tributaries of the White River and Hinkle Creek . Hinkle Creek directs flow ton Morse Reservoir.**

2) Are the soils within the project area susceptible to (x) erosion, ( ) landslides, or (x) Settlement? Describe the degree of each: **Soil erosion along with some settlement can occur during and immediately following the construction phase of the project. Predominate soil types within the proposed project area are Brookston Silt Clay Loam, Crosby Silt Loam and Miami Silt Loam. Minor soils consist of Shoals Silt Loam and Genesee Silt Loam. Flooding is the main hazard associated with these soils.**

3) Is a detailed soil survey information available? (y) If so, where is this information available? **Natural Resources Conservation Service, 1108 S. 9TH Street, Noblesville, IN 46060**

4) Is there any project in existence or in the planning stage where a conflict of purpose would Be created? Where is the problem area? ( ) Watershed project, ( ) group drainage system ( ) Other ( ). At what stage is the project? **There are no known and/or planned NRCS projects within the planned project area.**
What should be done to make the project compatible or complementary?

5) Are major land uses changes taking place in the project area (y) Describe: **Parasols of agricultural land is scattered throughout the proposed project site, with the greatest concentration of agricultural land located along the northern 1/2 of the project route. The southern 1/2 of the project route is composed primarily of urban built-up land.**

6) Does the project area contain unusual species of ( ) trees, ( ) shrubs, or ( ) other vegetation? Identify and describe and give location: **None were observed.**

7) Does an unusual ( ) quantity or ( ) quality of plant life exist in the project area? Describe and locate: **None were observed. The NWI map does, however; identify several small areas along the proposed project route as having a potential for wetlands.**

8) Do unusual kinds or amounts of wildlife exist in the area? Identify and describe: **None were observed.**

REPLY TO:
Greenfield District
32 South Broadway St.
Greenfield, Indiana 46140-2247
(317) 462-7751
FAX: (317) 462-7031

Indiana Department of Transportation

January 31, 2001

Cory Grayburn
Deputy Project Manager
Parsons Transportation Group
11405 North Pennsylvania Street, Suite 100
Carmel, IN 46032

RE: US 31 Improvement Project
Environmental Impact Statement
Des. No. 9905500
Early Coordination
Hamilton County

Dear Mr. Grayburn,

After reviewing the packet of information that you sent to us concerning the referenced project, the Development Section is unaware of any negative impact resulting from it. Once a final recommendation has been determined, we suggest consideration be given to the phasing of the construction to address the most critical area of the corridor. Also, we would be interested in any intermediate work that could be done prior to the major work. We appreciate you including us as part of your early coordination phase.

Sincerely,

Thomas Byrne
Program Development Engineer

TB/lam

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, LOUISVILLE
CORPS OF ENGINEERS
P.O. BOX 59
LOUISVILLE, KENTUCKY 40201-0059
FAX: (502) 315-6677
February 7, 2001

Operations Division
Regulatory Branch (North)
ID no. 200100014-bkc

This is in response to your request for comments concerning:

Project No: 9905500

Structure No: N/A

Description: U.S. 31 IMPROVEMENT PROJECT BETWEEN I-465 AND STATE ROAD 38 IN HAMILTON COUNTY, INDIANA

Name of Organization requesting early coordination:

PARSONS TRANSPORTATION GROUP

We do not have any comments on the general environmental impacts of the proposed project(s). This agency is not funded or authorized to provide general environmental assessments for all federally related development proposals. Our lack of comments on specific potential environmental impacts should not be construed as concurrence that no significant environmental damage would result from the project.

1. The proposed improvement may impact the following waterway(s) under our jurisdiction:

LITTLE COOL CREEK, HIWAY RUN, GRASSY BRANCH, COOL CREEK, JONES DITCH, LINDLEY DITCH, AND TWO UNNAMED TRIBUTARIES TO COOL CREEK

2. Current and/or future plans to develop the waterway(s) include:

NONE

3. The following Corps of Engineer's projects and/or studies are located within the area:

NONE

4. The depth or elevation of Ordinary High Water (OHW) is:

____ Feet mean sea level.

__X__ The OHW elevation is the line on the bank established by the changing water surface and indicated by physical characteristics such as

a clear natural line impressed on the bank; shelving; changes in the character of the soil; destruction of terrestrial vegetation; and other indications as determined upon inspection of the area. If additional information is needed for the OHW you may contact our Hydrology & Hydraulics Branch by calling (502) 315-6456.

5. The project site is within flood elevations:

____ Flood plain information is available by writing this office directly and requesting a floodplain delineation for a specific area. However, we are required by law to collect a fee for this service. The fee varies with the scope and complexity of the request. If you are interested in receiving this service please re-submit this request to the above address, ATTN: CELRL-PMP or call (502) 315-6892 and we will provide information on the fee schedule. Otherwise you may be able to obtain this information from local agency sources such as planning commissions.

6. Wetlands:

____ Are located on the site as indicated on the attached sheet.

____ To our knowledge, no wetland mapping of your proposed project site has been done, nor does the Corps of Engineers have any future plans to delineate and map jurisdictional wetlands for public or private use. If you suspect wetlands would be impacted by the discharge of dredged or fill material, a wetland delineation report conforming to the "Corps of Engineers Wetland Delineation Manual, Technical Report Y-87-1," would have to be submitted. Members of our regulatory staff having expertise in this area, would evaluate and verify the wetland delineation report as part of our review process. If you need assistance in preparing a wetland delineation, there are several environmental consultants in your geographic area having this expertise.

7. If based on your coordination with the State Historic Preservation Officer, it is determined that the project may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the Department of the Army permit application must include information stating which historic property may be affected by the proposed work and/or a vicinity map indicating the location of the historic property.

8. If your project would impact any "waters of the United States," including jurisdictional wetlands, then you should submit a Department of the Army (DA) permit application for review by this office. Copies of DA permit application forms can be obtained by writing to the above address ATTN: CELRL-OP-FN or by calling (502) 315-6733.

Brenda Carter

Brenda Carter
Regulatory Specialist
Regulatory Branch

HIGHWAY DEPARTMENT

Hamilton County

December 28, 2000

Mr. Cory Grayburn
Parsons Transportation Group
11405 North Pennsylvania St., Suite 100
Carmel, IN 46032

RE: U.S. 31 Improvement Project
Environmental Impact Statement
Early Coordination

Dear Mr. Grayburn:

This letter serves to acknowledge receipt of the Early Coordination Packet sent to me by your firm. I have reviewed the documents as well as the video sent at an earlier date, and have the following comments:

1. The timetable for this project appears to delay any improvements to US 31 or SR 431 at least 7 years. At the rate the area has been growing, seven years is an unacceptable time frame for improvements. Projects built at that time based on data collected now will be obsolete before they are completed. The immediate needs of the area do not appear to be addressed by this or any other INDOT action.

2. INDOT faces a severe credibility problem within this area because of continued "studies" with no action taken based on the results. Additionally, is there a need to re-investigate all of the proposed alternate routes? Most of these were studied under the MIS, and the area has only developed more since the time of that study. Therefore it would stand to reason that options that were a bad idea three years ago would not have become good ideas now. A more detailed investigation will most likely reveal that the alternate route proposals are worse than originally thought. Is it necessary to waste time and taxpayer funds to confirm the obvious?

Based on past experience, it would appear that INDOT's primary interest is spending study money in Hamilton County and not construction money. Therefore, we would request that your firm and INDOT work with us in our efforts to solve some of the immediate needs of the area that involve U.S. 31 and SR 431. Specifically we are requesting that our efforts to construct a partial interchange at 146th St. be allowed to proceed. This is a local / private venture that has zero cost to INDOT and will help alleviate traffic congestion at the intersections of U.S. 31 and Greyhound Pass and 151st St. This is a major commercial area within the County and it is

1717 PLEASANT STREET NOBLESVILLE, INDIANA 46060 (317) 773-7770

continuing to grow. We are working with several developers to implement portions of the interchange that was shown in the MIS. I realize that this is a radical departure from how things are normally done, but we have a very narrow window of opportunity to preserve the ability to construct a full interchange at this location and I am not willing to let the opportunity slip away while another study is completed.

Additionally, we are also in the process of revising the Hamilton County Thoroughfare Plan to show future interchanges at numerous intersections along U.S. 31 and SR 37. Our consultant is doing conceptual plans for the individual interchanges so that we can reserve any necessary right-of-way that may be needed as the areas develop. While all of these areas may not match your final selections for interchange locations, it is better to have the areas set aside and not need them than to have to purchase them after they have developed. I would ask that neither your firm nor INDOT impede the completion of this study.

Hopefully, we can work together to solve some of the immediate as well as the long term transportation problems that we are faced with along this corridor.

Sincerely,

Les K. Locke, P.E.
County Highway Engineer

LKL:jn

cc: Tom Stevens
Mike Howard
Steven Dillinger
Steven Holt
Sharon R. Clark
Matt Morasch
Jim Neal

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IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE
BLOOMINGTON FIELD OFFICE (ES)
620 South Walker Street
Bloomington, Indiana 47403-2121
(812) 334-4261 FAX 334-4273

February 12, 2001

Mr. Cory Grayburn
Parsons Transportation Group
11405 North Pennsylvania Street, Suite 100
Carmel, Indiana 46032

Project : US 31 improvements, I-465 to SR 38 (Des. #9905500)
Waterway: Multiple stream crossings
Work Type: Road reconstruction and widening
County(ies): Hamilton

Dear Mr. Grayburn:

This responds to your letter dated December 22, 2000, initiating early coordination and requesting U.S. Fish and Wildlife Service (FWS) comments on the aforementioned project.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

The information provided in your letter indicates that a previous Major Investment Study was conducted for the US 31 project, with a recommendation to upgrade US 31 rather than develop new alignments. The FWS reviewed previous early coordination for this project in our letters of April 18, 1994 (entire US 31 corridor study), and January 16, 1996, and we provided comments in response to a Notice of Intent to prepare an EIS in our letter of July 26, 2000 (copy attached). At those times several route alternatives were still under consideration.

We recommend some clarification in the legend of Figures 1-7 in the early coordination package. Several areas identified by signature in the legend as "prime farmland" or "hydric soils and prime farmland" are currently forested, and in some cases are labeled as deciduous forest on the figures. These areas may contain prime farmland soils, but if they are currently forested they should not be referred to as farmland.

As stated in our July, 2000 letter, an area of potentially significant impacts upon wildlife habitat is the US 31/SR 431 interchange at 146th Street. The 1995 early coordination packet stated that two configuration alternatives were under consideration for this interchange (configurations "C"

and "D"), and that both alternatives would result in channelization of approximately 1200 feet of Cool Creek and the loss of several hectares of forest in the Cool Creek floodplain. As previously stated, we have serious concerns about any design alternatives that would require major alterations of a perennial stream and its forested floodplain.

A biologist from our Bloomington Field Office inspected the project corridor on February 8, 2001. There are several woodlots along both sides of US 31, some of which are associated with tributary streams. These riparian woods tend to extend near the existing US 31 shoulders or bridges, whereas most other woodlots are set back beyond the mowed right-of-way. Several wooded areas have been cleared or fragmented for development since the previous early coordination packages were sent out.

Some areas within The Cool Creek floodplain near the US 31/SR 431 interchange have also been further deforested and filled for development in recent years. We inspected the floodplain at the interchange from 3 locations: from the SR 431 bridge; from the sewer line easement off the unmaintained gravel road south of 146th Street and east of the SR 431 merging ramp; and along the Hiway Run tributary corridor east of US 31 and Range Line Road in Carmel. Both Cool Creek and Hiway Run appear to be good streams for aquatic habitat in this area, with gravel/cobble bottoms, generally stable banks and good riparian vegetation (Photos 1, 2). The floodplain is still mostly forested with a mixture of native hardwood species, including sycamore, silver maple, green ash, American elm, cottonwood and American beech. Several large specimens of cottonwood, beech and sycamore are present in some locations. Some areas have younger growth interspersed with black locust and osage orange, indicating that they have regrown from a disturbed condition such as pasture. The stream banks and riparian zones are all forested and stable. In general the stream corridor and forested floodplain provide a large block of wildlife habitat relative to the intense development in most of the surrounding area.

US 31 lies adjacent to a forested reach of the Cool Creek floodplain north of 156th Street, on the east side of the highway. This forest is of a similar composition to that previously mentioned. It is fairly young but is still providing important wildlife habitat and protection for Cool Creek.

Previous coordination and your current early coordination packet note that wetlands are located in several locations along the US 31 corridor, but thus far wetlands have not been delineated and quantified. We cannot comment on wetland impacts until more information is provided, except to recommend that wetland impacts be held to a minimum. Floodplain wetlands are of particular importance due to their role in protecting water quality and aquatic communities.

ENDANGERED SPECIES

The proposed project is within the range of the Federally endangered Indiana bat (*Myotis sodalis*) and federally threatened bald eagle (*Haliaeetus leucocephalus*). At this time there are no eagle nests or significant habitat areas near the project corridor.

Indiana bats hibernate in caves, then disperse to reproduce and forage in relatively undisturbed forested areas associated with water resources during spring and summer. Young are raised in nursery colony roosts in trees, typically near drainageways in undeveloped areas.

There is suitable summer habitat for this species in forested areas along Cool Creek and possibly in other forested areas along the project route. There are no current records of Indiana bats near the project corridor but to our knowledge none of the streams in the affected area have been surveyed. There are multiple records of this species in adjacent Marion County, including a location within 10 miles of the project. Since the boundaries of the impact area have not yet been established we cannot make a determination as to whether the project may adversely affect the Indiana bat. The area of greatest concern is the Cool Creel corridor around and downstream from the US 31/SR 431 interchange. We will provide further coordination regarding endangered species as the environmental review process progresses.

This endangered species information is provided for technical assistance only, and does not fulfill the requirements of Section 7 of the Endangered Species Act.

Our major recommendation for this project concerns the design of the US 31/SR 431 interchange. This interchange should be designed with the following considerations:

1. Avoid relocation of Cool Creek, and avoid channel/bank disturbance except for the minimum necessary for bridge crossings.

2. Avoid disturbance in currently forested areas within 100 feet on both sides of the stream, except at bridge crossings..

3. Minimize tree-clearing within the forested floodplain.

4. Mitigate for forest loss by reforestation within the Cool Creek floodplain.

The following mitigation additional measures for stream crossings and erosion control should be incorporated into the project design.

1. Design the road reconstruction to minimize impacts on remaining woodlots, especially wooded riparian areas. Of special significance in this regard is the area on the east side of US 31 north of 156th Street, where the highway is immediately adjacent to the forested floodplain of Cool Creek.

2. Post DO NOT DISTURB signs at the construction zone boundaries and do not clear trees or understory vegetation outside the boundaries.

3. Implement temporary erosion and siltation control devices such as placement of straw bales in drainage ways and ditches, covering exposed areas with erosion control materials, and grading slopes to retain runoff in basins.

4. Revegetate all disturbed soil areas immediately upon project completion.

For stream crossings:

5. Restrict below low-water work to placement of piers, pilings and/or footings, shaping of the spill slopes around the bridge abutments, and placement of riprap.

6. For stream crossings, restrict channel work and vegetation clearing to within the width of the normal approach road right-of-way.

7. Minimize the extent of artificial bank stabilization.

8. If riprap is utilized for bank stabilization, extend it below low-water elevation to provide aquatic habitat.

9. Avoid channel work during the fish spawning season (April 1 through June 30).

For further discussion please contact Mike Litwin at (812) 334-4261 (ext. 205).

Sincerely yours,

for Scott E. Pruitt
Field Supervisor

cc: Federal Highway Administration, Indianapolis, IN
Andrew Pelloso, IDEM, Water Quality Standards Section, Indianapolis, IN
Steve Jose, Indiana Division of Fish and Wildlife, Indianapolis, IN
Manager, Environmental Assessment, INDOT, Rm 1107, Indianapolis,IN
Joel Johnston, J. F. New and Associates, Indianapolis, IN

Photo 1 Hinny Run

Photo 2 Coal Creek at sewer easement

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB 23 2001

REPLY TO THE ATTENTION OF

B-19J

John Baxter, Division Administrator
Federal Highway Administration, Indiana Division
Room 254, Federal Office Building
575 North Pennsylvania Street
Indianapolis, Indiana 46204

Re: Early Coordination Comments on INDOT's proposed U.S. 31 Improvement Project Environmental Impact Statement, Early Coordination Packet, December 2000.

Dear Mr. Baxter:

The United States Environmental Protection Agency, Region 5 (U.S. EPA) understands that the Federal Highway Administration (FHWA) in conjunction with the Indiana Department of Transportation (INDOT) is preparing a Draft Environmental Impact Statement (DEIS) for transportation improvements to U.S. 31 between I-465 and State Route 38 in Hamilton County, Indiana. This letter provides early coordination comments on the project as requested in a letter dated December 22, 2000, from Mr. Cory Grayburn, Parsons Transportation Group, consultants for INDOT.

Under our authority at §309 of the Clean Air Act (CAA) and the National Environmental Policy Act (NEPA) we will review the forthcoming DEIS to ascertain the proposal's compliance with NEPA. Our review will cover the adequacy of the information contained in the document in the following areas: (1) Purpose and Need, (2) Feasible Alternatives and Alternatives Analysis, (3) Affected Environment, and (4) Environmental Impacts and Mitigation. We expect the NEPA document to contain a cumulative impacts analysis. The cumulative impacts analysis will aid in determining the level of significance of the impacts on the various resources in the area and help determine the appropriate level of mitigation that should be committed to in the DEIS and Final Environmental Impact Statement (FEIS).

Based on our review of the information contained in the letter and Early Coordination Packet, we provide comments on the proposal in our enclosure titled: *U.S. Environmental Protection Agency Early Coordination Comments on INDOT's U.S. 31 Proposal, Hamilton County Indiana,* dated February 23, 2001. We hope you find these comments are helpful in preparing the project's forth coming DEIS.

We appreciate the opportunity to provide these early coordination comments. We plan to attend the formal scoping meeting if staff time and schedules allow. Please inform us of the meeting

date at least four weeks in advance. If you would like to discuss this letter and enclosure in more detail, please contact Virginia Laszewski of my staff at 312-886-7501 or email her at laszewski.virginia@epa.gov.

Sincerely,

Kenneth A. Westlake, Chief
Enviornmental Planning and Evaluation Branch
Office of Strategic Environmental Analysis

Enclosure

cc: FHWA, Indiana Division Office, 575 N. Pennsylvania St., Room 254, Indianapolis, IN 46204 (Attention: Robert Dirks)
INDOT, Division of Preliminary Engineering and Environment, 100 North Senate Ave., Room N755, Indianapolis, IN 46204-2249 (Attention: Janice Osadczuk, Chief)
USF&WS Region 3, Bloomington Ecological Services Office, 620 S. Walker St., Bloomington, IN 47403 (Attention: Scott Pruitt and Mike Litwin)
INDEM, Office Of Water Management, Planning Branch, 100 N. Senate Ave., P.O. Box 6015, Indianapolis, IN 46206-6015 (Attention: Andrew J. Pelloso, Senior Environmental Manager)
Parsons Transportation Group, 11405 North Pennsylvania Street, Suite 100, Carmel, Indiana 46032. (Attention: Cory Grayburn, Deputy Project Manager)

U.S. Environmental Protection Agency Early Coordination Comments on INDOT's U.S. 31 Proposal, Hamilton County Indiana

February 23, 2001

PURPOSE AND NEED

An adequate and clear Purpose and Need statement will need to be developed from which the Alternatives Analysis will be based and all Feasible Alternatives identified. We advise that if the Purpose and Need statement is unclear, too broad, and/or too far ranging, then it may be extremely difficult and/or costly for INDOT to substantiate purpose and need with the appropriate documentation and studies that would be necessary in order to comply with NEPA and the Section 404(b)(1) guidelines of the Clean Water Act (CWA). The Purpose and Need portion of the DEIS should clearly identify and describe the underlying problem/s or deficiency/ies that require a need for action. The data and analysis substantiating the problem/s or deficiency/ies identified should be presented.

ALTERNATIVES

All feasible alternatives should be presented in the DEIS. We understand that the alternatives under consideration, at this time, are: (1) No-action, (2) Transportation Demand Management (TDM), (3) Transportation System Management (TSM), (4) Public Transit, and (5) Build Alternatives. The DEIS should provide the same level of rigorous analysis for each feasible alternative considered in the DEIS, including the No Build alternative. To help the reader compare between alternatives, the analysis should be presented in an easily comparable format (e.g., tables, graphs). When costs are presented as part of the comparison, then the costs of mitigation, when applicable, should be identified and included in the comparison.

AFFECTED ENVIRONMENT

In order to assess potential significance of impacts on the environment from the alternatives under consideration, the DEIS needs to provide a detailed characterization of the surrounding environment. Since direct, indirect and cumulative impacts to the environment are to be assessed, this characterization should include the entire Study Area and not be limited to the foot print of the project. The characterization should be descriptive and supported by visual details (e.g., figures, location maps, photos) of the natural resources that could be affected directly or indirectly. This information should include, but need not be limited to, the identification of all wetlands (i.e., location, types, acreage, functions and values), lakes, rivers/streams (i.e., water quality, their designated use), floodplains (i.e., acreage), watersheds, fish and wildlife, habitats, farmland, federal and state threatened and endangered species, and forest land.

ENVIRONMENTAL CONSEQUENCES AND MITIGATION

The direct, indirect and cumulative environmental impacts of each alternative must be identified and evaluated in the DEIS. All mitigative measures should be presented. Based on the limited environmental information we have for the current proposal we offer the following comments.

Cumulative Impacts Analysis - The document should provide a cumulative impacts analysis. The purpose of a cumulative impacts analysis is to assess the incremental impacts on each resource due to connected and unconnected actions that take place in a geographic area over time (i.e., past, present and future). A cumulative impacts analysis aids in identifying the significance of those impacts on a particular resource and the appropriate type and level of mitigation required to offset the current proposal's impacts. The appropriate area of consideration and the time frame to use when assessing cumulative impacts will vary depending on the resource under consideration. For example, forested wetland loss is probably best considered in the context of historical forested wetland losses in a particular watershed. It takes decades to replicate the lost functions and values of a forested wetland. Incremental forested wetland losses due to past, present, and future actions when viewed in a cumulative context may result in a significant impact. Consequently, impacts to a forested wetland resource no matter how small for a particular proposal may be significant. This would dictate that all efforts be made to avoid and minimize impacts to forested wetlands, and require adequate mitigation for any unavoidable loss.

Wetlands - Environmental documentation should provide, but need not be limited to, wetland types (including a distinction between "farmed" vs "prior converted" wetlands) and acreage calculations, an assessment of wetlands' functions and values, evaluation and discussion of direct, indirect and cumulative impacts to wetlands and waters of the U.S. The U.S. Army Corps of Engineers (COE) should be contacted to determine whether a Clean Water Act (CWA) §404 permit will be required for the current proposal. The results of this discussion should be included in the document.

Wetland Mitigation - Mitigation requirements under 40 CFR Section 230 of the CWA address the replacement of the wetland functions and values that are unavoidably lost. A detailed mitigation plan should be developed and included as part of the environmental documentation. Wetland mitigation design should be based on the replacement of wetland functions and values that would be lost. Forested wetlands should be replaced at least at a 2:1 ratio. Other wetland types should be replaced at least at a 1.5:1 ratio. A wetland mitigation plan should be developed and include, but not be limited to:

- a commitment to acquire and start work at the mitigation site/s prior to project construction;
- a detailed schedule of events in relation to roadway work and wetland creation/restoration work;
- detailed construction plans;
- a detailed mitigation monitoring plan, including a time table;

- detailed performance criteria to measure success;
- detailed specifications and commitments for corrective measures to be taken if performance criteria are not met; and,
- a commitment to the establishment of a protection and management plan in perpetuity (i.e., legal surveys of the specific boundaries with buffers and conservation easements that are given to a land conservancy organization) for all mitigation areas.

We recommend a 100-foot vegetated buffer be provided around each wetland mitigation site. The buffer will enhance wildlife habitat and protect the site from sediment buildup that could result from land use practices immediately outside the buffer area. Wetland restoration is preferred to wetland creation because it has a higher rate of success. Enhancement is generally not considered as an acceptable form of wetland mitigation.

Construction equipment and materials should not be placed or stored in wetlands or environmentally sensitive upland areas. Where possible, excavation should be done from nonsensitive upland areas. If equipment must work in wetlands then it should be placed on mats. Site preparation and construction activities should be timed to avoid disturbing plants and animals during crucial seasons in their life cycle, such as mating and rearing of their young. If stream bank disturbances result, then we suggest stabilizing stream banks using soil bioengineering techniques.

Water Quality/Drinking Water Supplies - Impacts of the various alternatives on the surface and ground water quality of the area should address, but not be limited to, a stream/river or wetland's designated use and whether the direct or indirect impacts are in compliance with Indiana's Water Quality Standards and 401 Water Quality Certification process. Any storm water detention basins deemed necessary, due to project implementation activities, should neither be located in wetlands nor discharge directly into wetlands or waters of the U.S. without appropriate pretreatment. All drinking water supply intakes and wells should be identified, potential impacts discussed and appropriate mitigation measures identified. The environmental documentation should discuss whether National Pollution Discharge Elimination System (NPDES) 402 storm water permits are required.

Rivers, Streams and Floodplains - The environmental document should identify floodplains that will be impacted and the mitigation measures that will be implemented to compensate for any loss of floodwater storage. One such measure that should be considered is bridging across floodplains instead of using fill material and culverts. Another mitigation measure might include expanding the floodplain immediately up or down stream from impacted floodplain areas.

Vegetation and Wildlife - Consultation with the U.S. Fish and Wildlife Service (USFWS) regarding federal Threatened and Endangered species must be undertaken. Future environmental documentation should confirm that consultation with the USFWS has occurred. This would be in the form of a letter from the USFWS in the environmental document. In addition, future documentation should identify any State listed species that may occur in the project area.

Potential impacts on these species should be identified and discussed. Proposed mitigation for adverse impacts should be presented.

We are also concerned about the loss of upland resources associated with roadway construction projects. At the least, future environmental documentation should contain an inventory of any high quality or locally and regionally rare habitats or plant communities. This would include forested areas. A description and the areal extent of each site should be presented in the inventory. These resources should be avoided and/or mitigated to the extent possible.

Replacement trees should be planted to offset any woodland losses. We generally recommend that native saplings be used, if practicable, at a minimum ratio of 1:1. The trees should be placed in an area close to the project site. Instead of burning or disposing removed trees in a landfill, they should be placed in woodland areas to help mitigate for the loss of wildlife habitat. Vegetation that can not be reused elsewhere should be mulched and given to citizens or reused during revegetation at the construction sites. Only native species should be used to revegetate.

Air Quality and Noise - Construction and/or operational activities may cause a decrease in air quality and an increase in local noise levels. The environmental document should identify and discuss the sources of air and noise pollution. The environmental document should identify and provide details for the mitigative measures that will be implemented. Noise mitigation measures may include, but need not be limited to, the use of noise barriers, placement of trees and shrubs, and sound-proofing buildings.

Environmental Justice (EJ) - The DEIS should evaluate the impacts of this proposal on low income and/or minority communities (i.e., EJ communities) as compared to the general population.

Hazardous and Solid Waste - It is unclear from the current information whether there may be sites within the project area that contain hazardous waste or contaminated soils that could be disturbed during construction. The document should identify these areas and provide a detailed evaluation of any potential adverse impacts that could result from the location or construction of the proposal's various alternatives and present the mitigative measures that would be taken to protect the environment.

The NEPA document should address the fate of construction waste such as old pavement and bridge structures that may be removed as part of the project, and explore ways to reuse and/or recycle these materials. For materials that can not be reused or recycled, the document should identify the licensed landfill facility that will be used for their proper disposal.

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We make Indiana a cleaner, healthier place to live

Frank O'Bannon
Governor

Lori F. Kaplan
Commissioner

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-6603
(800) 451-6027
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March 9, 2001

Mr. Cory Grayburn, Deputy Project Manager
PARSONS TRANSPORTATION GROUP
11405 North Pennsylvania Street – STE 100
Carmel, IN 46032

Dear Mr. Grayburn:

RE: US 31 Improvement Project: 9905500
Hamilton County, Indiana

The Indiana Department of Environmental Management (IDEM) has reviewed the above-noted project with consideration to potential effects on the environment at or about the project location. The following topics were considered during our review process:

WATER AND BIOTIC QUALITY

Recommended water pollution control measures:

1. Section 404 of the Clean Water Act requires a permit from the U.S. Army Corps of Engineers for dredging and filling in wetlands and other waters of the state of Indiana. We recommend that you contact the Louisville District of the U.S. Army Corps of Engineers at 502/315-6733 regarding the need for a Section 404 permit for this project. In the event a Section 404 permit is required, you must obtain a Section 401 Water Quality Certification from this office. Contact the Office of Water Quality - Water Quality Certification Program, 317/233-8488, for additional information.

2. Water pollution control measures, as specified in the current Indiana Department of Transportation Standard Specifications Manual, shall be followed to insure the maximum protection of water quality throughout the construction of the project.

3. Contact the Department of Natural Resources - Division of Water, 317/232-4160, regarding the need for permits for work within floodways of water bodies impacted by this project.

4. Contact the Department of Natural Resources - Division of Fish and Wildlife, 317/232-4080, regarding possible adverse impacts from this proposed project on fish and botanical resources.

5. Contact the Office of Water Quality - Permits and Compliance Branch (317/233-1864) regarding the need for a Rule 5 Storm Water Permit for construction activity (which includes clearing, grading, excavation and other land disturbing activities) that results in the disturbance of five (5) acres or more of total land area. If the land disturbing activity results in the disturbance of less

than five (5) acres of total land area, but is part of a *larger common plan of development or sale* (such as the development of a subdivision or industrial park), it is still subject to storm water permitting.

6. As a point of reference, IDEM is not a signatory to the Memorandum of Understanding regarding wetland mitigation for transportation projects in Indiana.

7. The Office of Water Quality recommends that the project sponsor or an authorized agent conduct a survey of the proposed project site to determine if jurisdictional wetlands subject to regulation by the Corps of Engineers and this office are present and may be impacted by the proposed project. For your reference, the U.S. Fish and Wildlife Service National Wetland Inventory maps do not depict jurisdictional wetlands that are regulated under the Clean Water Act by the U.S. Army Corps of Engineers and IDEM. Under not circumstances should these maps be used to make a determination of the presence or lack thereof of jurisdictional wetlands. The Corps of Engineers 1987 Delienation Manual should be used to make field determination verifying the presence of wetlands. The National Wetland Inventory maps can be used to identify only those potential areas of concern. Contact the U.S. Army Corps of Engineers for further information on field identification of wetland resources.

8. As plans for this assessment are finalized, Mr. Andrew Pelloso, 317/233-2484, will serve as the Office of Water Quality's point of contact for meetings and other early coordination reviews.

AIR QUALITY

The project should be designed to minimize any impact on ambient air quality in or about the project area. The project must comply with all federal and state air pollution regulations. Consideration should be given to the following:

1. What disposal method is being used for organic debris from land clearing and other waste materials? Open burning is allowed for certain types of maintenance purposes with specific conditions. If burning is allowed by the rule and is being considered, evaluate the economic and technical feasibility of non-combustion disposal options, for example removal, mulching and burial. Open burning approvals may be granted for certain projects by OAM. Open Burning Rule 326 IAC 4-1 should be taken into consideration.

2. Reasonable precautions must be taken to minimize fugitive dust emissions from construction and demolition activities. Example precautions are wetting the area with water, constructing wind barriers, or treating the area with chemical stabilizers (such as calcium chloride or several other commercial products). Dirt tracked out from unpaved areas should be minimized. Please refer to Fugitive Dust Rule 326 IAC 6-4 for details. If construction or demolition is conducted in a wooded area where large blackbirds have roosted or abandoned buildings or building sections in which pigeons or bats have roosted for 3-5 years precautionary measures should be taken to avoid an outbreak of histoplasmosis. This disease is caused by the fungus Histoplasma capsulatum, which stems from bird or bat droppings that

have accumulated in one area for 3-5 years. The spores from this fungus become airborne when the area is disturbed and can cause infections over an entire community downwind of the site. The area should be wetted down prior to cleanup or demolition of the project site. For more detailed information on histoplasmosis prevention and control, please contact the Acute Disease Control Division of the Indiana State Department of Health at (317) 233-7272.

3. Ensure that asphalt paving plants are permitted and operate properly. The use of cutback asphalt, or asphalt emulsion containing more than seven percent (7%) oil distillate, is prohibited during the months April through October. Please refer to 326 IAC 8-5 Asphalt Paving Rule for details.

4. If demolition or renovation of a structure will take place, asbestos and lead-based paint rules may apply. An inspection should be performed by an accredited asbestos inspector to determine if asbestos containing materials are present. If asbestos is present, rules governing project licensing will apply. Projects that involve lead-based paint activities should take the proper safety precautions to ensure the health of the buildings occupants and the safety of the environment. In projects that involve asbestos, notification rules and set schedules apply to renovation operations above a certain size and all demolition projects. The following rules may apply to either projects involving asbestos or lead-based paint:

   40 CFR 745 Lead: Requirements for Lead-Based Paint Activities in Target Housing and Child Occupied Facilities.
   326 IAC 14-2 Emissions Standard for Asbestos;
   326 IAC 14-10 Emissions Standard for Asbestos; Demolition and Renovation Operations, and
   326 IAC 18-1 and 18-3 Asbestos Personnel Accreditation Rules.

5. If this project is the construction of a new source of air emissions or the modification of an existing source of air emissions, it will need to be reviewed for an air emissions permit or registration according to 326 IAC 2-1 Permit Review Rules. Applications for permit review can be obtained by calling 317-232-8369. New sources that use or emit hazardous air pollutants may be subject to Section 112 of the Clean Air Act and corresponding state air regulations governing hazardous air pollutants.

OFFICE OF LAND QUALITY

1. The Office of Land Quality (OLQ) does not believe the site is or represents an environmental problem, based on the information provided. However, OLQ reserves the right to reassess the site if new or additional information becomes available.

2. If the site is found to contain any areas used to dispose of solid or hazardous waste, you shall contact the OLQ at 317-232-3210.

3. If any contaminated soils are discovered during this project, they may be subject to disposal as either special or hazardous waste. Please contact the OLQ at 317-232-4473 to obtain information on proper disposal procedures.

4. There may be PCB issues related to this site. Please contact the Special Waste Section of OLQ at 317-232-3111 for information regarding management of any PCB wastes from this site.

5. There may be asbestos issues related to this site. Contact the Special Waste Section of OLQ at 317-232-3111 for information regarding management of any asbestos wastes from this site.

The Office of Land Quality is making file information pertaining to the Environmental Impact Statement Early Coordination program available to the public. These files are open to the public during regular business hours. The file room is located at 2525 N. Shadeland on the second floor. If you need any additional information or have any questions, please contact the following person:

Ms. Anne Black 317-232-4524

FINAL REMARKS

We reserve the right for further review if the scope of the project, or any of its aspects, should change significantly from that which has been proposed, or we are made aware of factors which could have detrimental environmental effects.

Please note that this letter does not constitute a permit, license, endorsement or any other form of approval on the part of either the Indiana Department of Environmental Management or any other Indiana state agency.

Should you have any questions relating to our review, please contact the following program area people responsible for this review:

Water and Biotic Quality
Andrew Pelloso 317-233-2481

Air Quality
Kennye' Johnson 317-233-0430

Land Quality
Debby Baker 317-232-0066

Review Coordinator
Gary Starks 317-232-8795

Sincerely,

Len Ashack, Chief
Permits & Compliance Branch
Office of Water Quality

Project No. 3614

CLAY TOWNSHIP GRASS ROOTS GOVERNMENT EST. 1833

CLAY TOWNSHIP OF HAMILTON COUNTY

10701 North College • Indianapolis, Indiana 46280-1089 • (317) 846-2773 • Fax (317) 846-0744 • Email claytwp@indy.net

Trustee
Judith F. Hagan

Board Members
Mary Eckard
Rosmary Hensel
Carl S. Mills

March 23, 2001

Mr. Cory Grayburn
Deputy Project Manager
Parsons Transportation Group
11405 N. Pennsylvania St. Suite 100
Carmel, IN 46032

Re: U. S. 31 Improvement Project

Dear Mr. Grayburn,

In response to your invitation, I would like to submit comments for inclusion in the U.S. 31 Improvement Project Study.

My main concern is the potential divisiveness to the surface of our community of upgrading U. S. 31 to freeway status. While Carmel Clay will benefit in many ways from the improvements, there will be equally destructive side effects unless the plan is very well conceived and executed. I support efforts to depress the grade of U.S. 31 as much as possible both to reduce traffic noise and to maintain the "surface" of our community physically intact. A "Great Wall" is not desirable. That lesson should have been learned from the many inner city freeway experiences.

To keep our community intact, I specifically request that 111th Street remain a connected cross street in the community, over or under U.S. 31, with width for multi-use paths in order to connect the west side of Clay Township conveniently and safely with the east side. 111th Street intersects our new central park and the Monon Trail. Access to these sites by all Township residents should be given high consideration. I hope the same consideration is given to 126th Street since it now appears that the interchange will be located at 131st Street rather than 126th Street. The Hamilton County Alternative Transportation Task Force (H-CAT) and Carmel Clay Alternative Transportation Plan (C-CAT) have both focused on developing alternatives to

car travel in our local area. I am confident that that goal will be important to you as well.

My last comment has to do with the potential use of new materials for paving which deaden traffic noise. Hopefully new technology can be incorporated into the improvement plans to lessen the impact of traffic noise.

Thank you for the opportunity to submit comments.

Sincerely,

Judith F. Hagan

Cc: Mayor Brainard
Carmel City Council
Clay Township Board
Steve Engelking
Mike Hollibaugh
Kate Wiese
Mo Merhoff
Randy Auler
Sue Dillon
Mark Rattermann
Dennis Faulkenberg